

**REMARKS**

Claims 1-20 are pending in the application. Independent claims 1 and 11 have been amended. Claims 8, 9, 18 and 19 have been canceled. New claims 21 and 22 have been added.

**Rejection Under 35 USC 102(e)**

Claims 1 and 11 are rejected as being anticipated by U.S. Pat. No. 6,584,096 ("Allan"). Allan teaches a method and apparatus for connecting a home network to the Internet using the ports or sockets of a home gateway. The home gateway records internally that there is a specific binding between the port number and the end system local address such that it may demultiplex data traffic from the network to the correct local address. An example of a local end system address is an Ethernet MAC address. (Col. 6., 22-32). The examiner alleges that this teaching is an anticipation of a receiver configured to derive multiple elementary substreams, each substream including a received MAC address and a hardware comparison engine being configured to compare the received MAC address of a particular data stream against a plurality of stored MAC addresses. The examiner admits that Allan alone does not explicitly teach a MAC address being concatenated with a disable bit (see paragraph 15 of the Office Action). Claims 1 and 11 have been amended to specify, *inter alia*, that the MAC address has a concatenated disable bit. Accordingly, it is respectfully submitted that the amended claims are not anticipated by Allan and the anticipation rejection is overcome.

**Rejections under 35 USC 103(a)**

Claims 2-7 and 12-17 are rejected as being obvious over Allan in view of U.S. Pat. No. 5,931,968 ("Gray"). Gray teaches an apparatus for encoding digital data for storage on a data storage medium (e.g. a tape magnetic storage environment) including an encoder that receives a data input stream from a direct memory access (DMA) channel, which manages the flow of data in and out of the shared memory resources. Although Gray may establish that DMA is a common data storage technique as the examiner contends, Gray (like primary reference

Allan) does not teach or suggest a method or system employing DMA in combination with a MAC address having a concatenated disable bit ( and an independent stored compare mask assigned to the MAC address). These limitations in amended claims 1 and 11 are incorporated in rejected dependent claims 2-7 and 12-17. Therefore, a combination of Allan and Gray does not establish a prima facie case of obviousness since it does not result in the claimed invention. Withdrawal of the rejection is respectfully requested.

Claims 8-10 and 18-20 are rejected as being obvious over Allan in view of U.S. Pat. No. 6,400,715 ("Beaudoin et al"). Claims 8 and 9 have been canceled and limitations thereof incorporated in claim 1. Claims 18 and 19 have been canceled and limitations thereof incorporated in claim 11. Beaudoin et al teaches a communications system comprising an address matching circuit having a memory for containing addresses arranged in a linked list, a first state machine for creating and updating the linked list of addresses, a second state machine for providing routing information for a selected address based upon the linked list of addresses, and a bus watcher circuit for monitoring data traffic on a bus to detect addresses. (Col 2, lines 35-41). In one embodiment, an external address matching device provides the capability to direct spanning tree Bridge Protocol Data Units (BPDUs) to a management port for processing. To direct BPDUs to the management port an "all groups multicast" address is programmed into the address matching device. Beaudoin et al teaches a ULAN (virtual LAN) mask associated with this address that is programmed to forward all packets with this address to the management port. (Col. 14, lines 18-46). Beaudoin does not teach or suggest the comparison of a disable bit in the MAC address with each of the bits in the stored compare mask to determine if the mask has been disabled, thereby allowing comparison of all bits in the MAC address when the mask is disabled.

In another embodiment, Beaudoin teaches that frame cut-through (transmission on the destination port before complete reception of the frame) may be selectively disabled by either the receiving port or the transmitting port, on a per port basis, by appropriately setting the store and forward bits in the port control register for that port. (Col. 22, lines 22-43). There is no teaching or suggestion in Beaudoin that the disablement of frame cut-through is accomplished by

comparing a disable bit in the MAC address with each of the bits in a compare mask thereby allowing comparison of all bits in the MAC address when the mask is disabled.

The examiner cannot pick and choose from any one reference only so much as will support a given position to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. See, for example, *In re Lunsford*, 148 USPQ 721 (CCPA 1966). Moreover, "[t]he mere fact that the prior art may be modified in the manner suggested by the examiner does not make the modification obvious unless the prior art suggested the desirability of the modification." *In re Fritch*, 23 USPQ 2d 1780, 1783-1784 (Fed. Cir. 1992). It appears that the examiner has merely combined a disclosure regarding the use of a (ULAN) mask with an unrelated disclosure regarding disablement of frame-cut through without any suggestion or motivation to do so in the references themselves. Even assuming, *arguendo*, that there may be such a suggestion or motivation, the combination would not result in the present invention. For these reasons, withdrawal of the rejection is respectfully requested.

In order to more particularly define one aspect of the invention, new claims 21 and 22 have been added to specify a preferred mechanism by which the comparisons of the present invention are carried out. This mechanism is neither taught nor suggested by the cited prior art.

### CONCLUSION

In view of the foregoing, applicants believe all claims now pending in this application have been placed in condition for allowance. Applicants further respectfully submit that, in view of this amendment, a Notice of Allowance should be promptly issued.

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Amdt. dated

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PATENT

If the examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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